IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 4710 of 2006
Date of Decision: 07.09.2006

Inder Singh ...Petitioner

Vs.

Smt.Sandokhi Devi ...Respondent

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.R.A.Sheoran, Advocate,
for the petitioner.

Vinod K.Sharma, J. (Oral)

The present revision petition has been filed against an order passed by the learned Additional Civil Judge (Senior Division), Charkhi Dadri vide which the application made by the petitioner for leading additional evidence which according to the petitioner could not be produced earlier due to inadvertence.

The learned Trial Court rejected the application keeping in view the fact that the evidence of defendant was closed by order on

9.5.2006 after affording sufficient opportunity to the defendant to lead his evidence. The learned Trial Court held that inadvertence was not a ground for leading additional evidence under section 151 of the Code of Civil Procedure.

Learned counsel for the petitioner contends that he wants to produce the documents which were admitted documents and therefore, they were necessary for just and appropriate adjudication of the case and the learned Trial Court has erred in not exercising the jurisdiction vested in it.

I have considered the arguments of the learned counsel. It is the admitted case that the documents are on record and these documents were admitted. Defendant still failed to produce the same, rather his evidence was closed by an order after giving him number of opportunities to lead evidence.

The learned Trial Court rightly did not exercise inherent jurisdiction under section 151 of the Code of Civil Procedure. There is no illegality or irregularity in the impugned order,which may call for interference by this Court.

Dismissed.

(Vinod K.Sharma)
Judge

7.09.2006
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